IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

WP(C).No. 23920 of 2007(V)

PETITIONER:

K. THYAGARAJAN, AGED 39 YEARS,
S/O. A.S. KRISHNA IYER, 'SARASWATHY NIVAS'.
KURUVATTI PARAMBU, APPAS ROAD, GURUVAYOOR.

BY ADV. SRI.K.PADMANABHAN

RESPONDENTS:

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1. SPECIAL TAHSILDAR (GENERAL),
LAND ACQUISITION, GURUVAYOOR DEVASWOM, THRISSUR.

2. THE DISTRICT COLLECTOR, THRISSUR.

3. THE ADMINISTRATOR,
GURUVAYOOR DEVASWOM, GURUVAYOOR.

R2 BY G.P. SHRI L.G.SURESH BABU
R3 BY ADV. SRI.U.K.RAMAKRISHNAN
SMT.P.VIJAYAMMA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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W.P(C) NO. 23920 OF 2007

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Dated this the 10th day of September, 2007

J U D G M E N T

Petitioner was in possession of 0.0249 Hectares of land at Guruvayoor. A portion of the said land was acquired for widening the road near the Guruvayoor Temple. According to the petitioner since the compensation awarded to him was highly inadequate, he filed an application under Section 28A of the Land Acquisition Act. That was rejected as per Exhibit P7 order. Thereafter he filed another application under Section 28A(3) of the Act for referring the matter to the competent court. The grievance of the petitioner is that till date his application filed under Section 28A(3) of the Act is not considered. The limited prayer of the petitioner is to issue a direction to the District Collector to dispose of that application.

2. Considering all aspects of the matter, I am of the view that the Writ Petition itself can be disposed of with a direction to the District Collector to consider and pass orders on the application filed by the petitioner. There will be a

direction to the District Collector, Thrissur to consider and pass orders on Exhibit P8 application dated 16.6.2007 filed by the petitioner under Section 28A(3) of the Act, if the same is received by him and pending, within two months from the date of receipt of a copy of this judgment.

Writ Petition is disposed of with the above direction.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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M.F.A.

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J U D G M E N T

TH SEPTEMBER, 2007